

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

| | | |
|------------------------------------------|---|-------------------------------|
| HORACIO CARRICA, Individually, and on |) | |
| Behalf of All Others Similarly Situated, |) | |
| |) | Case No. 09 CV 3728 (JFB/MLO) |
| Plaintiffs, |) | |
| |) | |
| v. |) | ECF Case |
| |) | |
| MORTGAGE WORLD BANKERS, INC., |) | |
| STEPHANOS LAGOUDIS, MICHAEL |) | |
| LAGOUDIS, and JOHN LAGOUDIS, |) | |
| |) | |
| |) | |
| Defendants. |) | |
| |) | |
| |) | |


**JOINT STIPULATION AND ORDER CERTIFYING THIS CASE AS A COLLECTIVE
ACTION AND ALLOWING NOTICE TO ISSUE**

1. The Parties request that this Court enter an order:
 - a. Conditionally certifying this case as a Rule 216(b) collective action;
 - b. Requiring Defendants to provide Plaintiffs' counsel the names, last known addresses, social security numbers, and telephone numbers (if known) of all potential opt-in members in electronic format, to the extent available, within fifteen (15) calendar days of the entry of this Order;
 - c. Authorizing Plaintiffs' counsel to distribute a notice and an opt-in form via first class U.S. Mail to all persons who were employed by Defendants as loan officers or other similarly titled positions from January 1, 2007 through the present for a period of sixty days from the date of this Order; and
 - d. The individuals who have already filed an opt-in form in this action shall be deemed to be party plaintiffs with all rights and defenses preserved by all sides.
 - e. Designating Erik H. Langeland as counsel to the class ("Class Counsel").
 - f. The parties are unable to agree upon the precise language of the Notice of Pendency and Consent to Join Collective Action forms. The parties shall endeavor to reconcile their differences as to the proposed language. To the extent the parties are unable to settle on language, the parties agree to have any discrepancies resolved by the Court.

2. It is further stipulated that the Plaintiffs will not move to certify any claims under Rule 23 in this case. To the extent requested by Defendants', Plaintiffs' shall amend their Complaint remove Rule 23 allegations. Defendants shall have thirty days to file and serve their answer to the Amended Complaint.

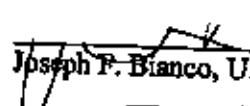
3. In the event that there are any discrepancies between the terms of this Stipulation and Order, and the content of the Notice of Pendency then the terms of the Notice of Pendency shall control.

STIPULATED AND AGREED:


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SO ORDERED:


Joseph P. Bianco, U.S.D.J.

Dated: Jan. 14, 2010